

Minutes
Catawba County Board of Commissioners
Regular Session, Thursday, June 15, 2006, 4:30 p.m.

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Distinguished Public Service Award

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The Catawba County Board of Commissioners met in regular session on Thursday, June 15, 2006 at 4:30 p.m. in the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chair Katherine W. Barnes, Vice-Chair Dan Hunsucker and Commissioners Glenn E. Barger, Lynn M. Lail and Barbara G. Beatty.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Lee Worsley, County Attorney Robert Oren Eades, Budget Director Judy Ikerd and County Clerk Barbara Morris.

1. Chair Katherine W. Barnes called the meeting to order at 4:30 p.m.
2. Chair Barnes led the Pledge of Allegiance to the Flag.
3. Vice-Chair Dan A. Hunsucker offered the invocation.
4. Commissioner Glenn E. Barger made a motion to approve the minutes from the regular meeting of June 5, 2006. The motion carried unanimously.
5. Recognition of Special Guests: Chair Barnes welcomed all those present and said the Board was pleased to see people who were interested in the business of the County and noted there were some public hearings on the agenda which included the proposed budget for the County.
6. Comments for Items not on the Agenda. None.
7. Appointments:
Vice-Chair Hunsucker recommended the reappointment of James Mitchell for a fifth term on the Industrial Facilities and Pollution Control Board, Ken Hilderbran for a fourth term on the Conover Planning Board and John Hardy for a seventh term, Dr. Barry Redmond for a first term, Doug Urand for a first term and Ric Vandett for a third term on the Juvenile Crime Prevention Council. These recommendations came in the form of a motion. The motion carried unanimously.
8. Consent Agenda:
J. Thomas Lundy, County Manager, presented the following five items on the consent agenda:
 - a. An accounting transaction which has been required by the Local Government Commission. The State changed the rules on voting equipment forcing Catawba County to dispose of its voting equipment. The State received money from the Federal Government under the Help America Vote Act and the State actually kept the money and used the money to purchase the new equipment and local government has now ruled, retroactively, that the County needs to recognize that revenue and expense on the County's books, even though the County never saw the money. This action is in compliance with the Local Government Commission showing the receipt of \$603,755 as revenue and disbursing it.
 - b. Supplemental appropriation of \$9,510.23 to install a lift gate on an ambulance. The budget for the next year proposes a neonatal transport unit which would be used in a contract with Catawba Valley Medical Center. This appropriation is to install a lift gate on the ambulance and the County will be reimbursed for this expense by the Hospital.
 - c. Supplemental appropriation of \$42,000 in state funds to create a Continuity of Operations Plan (COOP) to be utilized in case of a disaster.
 - d. Execution of contract documents for CDBG Individual Development Accounts 1st Time Homebuyer Program. This would allow receipt of \$70,000 and designates the County as the lead agency in offering down payment assistance for up to 30 1st time homebuyers. The following ordinance and resolution were adopted regarding this program:

ORDINANCE#_____

CATAWBA COUNTY PROJECT BUDGET ORDINANCE
FOR THE 2005 COMMUNITY DEVELOPMENT BLOCK GRANT

UNIFOUR INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM (IDA)

Be it ordained by Catawba County Commissioners that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

Section 1. The project authorized is the Community Development Project described in the work statement contained in the Grant Agreement (#05-C-1472) between this unit and the Department of Commerce. This project is more familiarly known as the 2006 IDA Individual Development Account Unifour 1st Time Homebuyer Program.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the Department of Commerce, and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project.

Revenues

Community Development Block Grant	\$ 70,000
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Section 4. The following amounts are appropriated for the project:

Expenditures

Down Payment Assist & Housing Services	\$ 60,000
Administration	\$ <u>10,000</u>
	\$ 70,000

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and federal and state regulations.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this the 15th day of June, 2006.

RESOLUTION #

CATAWBA COUNTY
POLICIES AND GUIDELINES FOR THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, Catawba County has been awarded a Community Revitalization Grant Award for \$70,000; and

WHEREAS, Catawba County desires to adopt Community Development Program Policies and Guidelines; and

WHEREAS, The Community Development Office has created Community Development Program Policies and Guidelines;

NOW, THEREFORE, BE IT RESOLVED, Catawba County hereby adopts Community Development Program Policies and Guidelines as herein contained.

Adopted this the 15th day of June, 2006.

e. Update records retention and disposition schedules for County Management, Sheriff's Office, County Tax Administration, County Veterans Services and the Public Library.

Chair Barnes asked if there were any items that any Commissioner would like broken out of the consent agenda. There were no requests to break out an item. Commissioner Lynn M. Lail made a motion to approve the consent agenda. The motion carried unanimously.

9. Departmental Reports:

b. Utilities and Engineering:

1. Jack Chandler, Public Services Administrator, presented the second reading of a proposed amendment to Chapter 42, Water and Sewer of the Catawba County Code of Ordinance. This amendment was originally presented at the June 5, 2006 Board of Commissioners meeting but because all the Commissioners were not present at that meeting, the ordinance could not be adopted and the second reading was required.

Overall, the amendment restructures the Chapter to a logical order and to address the extension of sewers within the County and incorporate County Owned Water and Waste Water Utilities into the ordinance.

Article II of Chapter 42 previously addressed the extension of water and sewer service together and the guidelines for fire hydrants were in a separate article. The amendment divides the Extension of Water and the Extension of Sewer Service into Article II - Water Extensions and Article III - Extension of Sewer Service. Additionally the amendment incorporates the guidelines for fire hydrants into Article II along with the other provisions for water.

Article III - Extension of Sewer Service is a new article for Chapter 42 giving guidelines for the extension of sewer service in the unincorporated areas of the county. Article III mirrors Article II in its structure and in the requirements for the extension of sewer service. .

The proposed amendment also includes new Article V - County Owned Water and Waste Water Utilities in order to define the procedures and standards, including metering and connections, of County owned water and sewer infrastructure such as the existing SECC water distribution system.

Commissioner Lail made a motion to adopt the proposed change to Chapter 42, Water and Sewer. The motion carried unanimously. The amended ordinance reads as follows:

Ordinance No. 2006- 07

AMENDMENT TO THE CATAWBA COUNTY WATER AND SEWER ORDINANCE

BE IT ORDAINED that the Catawba County Code of Ordinances, Chapter 42, Water and Sewer is hereby amended, which said chapter reads as follows:

Chapter 42 WATER AND SEWER*

***Cross references:** Buildings and building regulations, ch. 8; environment, ch. 16; manufactured home parks, ch. 26; utility requirements for manufactured home parks, § 26-93; solid waste management, ch. 32; streets, sidewalks and other public places, ch. 34; subdivisions, ch. 36; water supply and sanitary sewer in subdivisions, § 36-85; underground utilities in subdivisions, § 36-88; zoning, ch. 44.

State law references: Authority to operate public enterprises, G.S. 153A-275; authority to fix and enforce rates, G.S. 153A-277; special provisions for water and sewer services, G.S. 153A-283 et seq.

Article I. In General

Sec. 42-1. Sewer use.
Sec. 42-2. Definitions.
Secs. 42-3--42-30. Reserved.

Article II. Extension of Water Service

Division 1. Generally
Sec. 42-31. Legislative Authority.
Secs. 42-32--42-56. Reserved.

Division 2. Water Extensions
Sec. 42-57. Purpose and Applicability.
Sec. 42-58. Reserved.
Sec. 42-59. Procedures and Standards.
Secs. 42-60--42-84. Reserved.

Division 3. Fire Hydrant Installation
Sec. 42-85. Guidelines.

Article III. Extension of Sewer Service

Division 1. Generally
Sec. 42-86. Legislative Authority
Secs. 42-87--42-107. Reserved.

Division 2. Sewer Extension
Sec. 42-108. Purpose and Applicability.
Sec. 42-109. Reserved
Sec. 42-110. Procedures and Standards.
Secs. 42-111--42-135 Reserved.

Article IV. Water and Sewer Extension Funding

Division 1. Generally
Sec. 42-136. Purpose and Applicability
Secs. 42-137--42-150. Reserved

Division 2. Revenue Sharing Program
Sec. 42-151 Purpose.
Sec. 42-152. Eligibility requirements.
Sec. 42-153. Application deadlines.
Sec. 42-154. General responsibilities of county.
Sec. 42-155. General responsibilities of municipality.
Sec. 42-156. Contract terms.
Secs. 42-157--42-185. Reserved.

Division 3. Revolving Loan Program
Sec. 42-186. Purpose.
Sec. 42-187. Eligibility requirements.
Sec. 42-188. Limitation of loan amounts.

Sec. 42-189. Application deadlines.
Sec. 42-190. General responsibilities of county.
Sec. 42-191. General responsibilities of municipality.
Sec. 42-192. Contract terms.
Secs. 42-193--42-219. Reserved.

Article V. County Owned Water and Waste Water Utilities

Division 1. Generally

Sec. 42-220. Purpose

Secs. 42-221—42-235. Reserved

Division 2 Procedures and Standards

Sec. 42-236 Metering.

Sec. 42-237 Required Connections.

ARTICLE I. IN GENERAL

Sec. 42-1. Sewer use.

(a) Through individual contracts with municipalities, the county provides wastewater treatment facilities to both residential and business property owners in unincorporated areas of the county. Each such wastewater treatment facility is operated pursuant to a municipal ordinance which has been created in conformance with applicable laws and which has been approved by the appropriate controlling state agency.

(b) Every property owner whose property is connected to a municipality's wastewater treatment system, pursuant to the county's contract with such municipality, will be subject to all applicable terms and conditions of the municipality's sewer use ordinance, which ordinance is adopted by the county and incorporated in this section by this reference, and a copy of such ordinance is on file and available for inspection in the county offices.

Sec. 42-2. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agricultural/Horticultural Well means a system for providing potable well water or groundwater, for the purposes of agriculture and residential, commercial, or industrial lawn care.

Availability Charge means a County and/or municipal fee for water infrastructure maintenance.

Capital Fee means a one-time fee collected by the county for connection to the water system.

Customer Charge means a fee for servicing customer accounts.

Eligible Refund means that portion of the project cost qualified for reimbursement to the petitioner in accordance with this division.

Engineering Fee means fees for engineering review and project observation for residential and commercial subdivision and development set in accordance with a schedule adopted by the board of commissioners.

Extension means any water or waste water line segment which is necessary to connect water or waste water service to an existing water or waste water line.

Extension Permit means the permit issued by the county and, where applicable, a municipality to allow and regulate the extension of water and/or waste water infrastructure.

Geothermal Well means a well used to provide water to a system which employs groundwater for the sole purpose of cooling and heating a structure.

Immediate Family Members means direct lineal family members, including children, grandchildren, great-grandchildren, father, mother, grandmother, grandfather and respective spouses.

Major Subdivision means as defined in chapter 36 pertaining to subdivisions.

Minor Subdivision means as defined in chapter 36 pertaining to subdivisions.

Nonresidential means commercial, industrial, institutional, or agricultural land use.

Petitioner means the person applying for a water and/or waste water line extension or well and/or septic tank permit.

Potable Well means groundwater which does not contain foreign materials exceeding the groundwater quality standards specified in the state administrative code.

Private Well Water Supply means any water supply furnishing potable water to no more than two residences or one in-home business. For immediate family members, three connections may be permitted as a private well water supply.

Public Well System means a system for the provision to the public of piped water for human consumption if the system serves 15 or more service connections or regularly serves 25 or more individuals. The term includes the following:

- (1) Any collection, treatment, storage, and distribution facility under control of the operator of such system and used primarily in connection with such system; and
- (2) Any collection or pretreatment storage facility not under the control of the operator of the system which is used primarily in connection with such system.

Revenue Sharing Line means a water line or a waste water line owned and constructed by the county in agreement with a municipality as specified in Article IV.

Revolving Loan Line means a water line or waste water line outside constructed through the county program, offering low interest loans to fund extensions of utility services within the county as specified in Article IV.

Semipublic Well System means a water supply that provides water for the purpose of human consumption for three to 14 service connections and less than 25 people that does not meet the definition for a public water system.

Sewer means waste water.

User Fee means a municipal fee for water consumption that incorporates infrastructure maintenance and the cost to produce potable water.

Volume Charge means a municipal fee based on water consumption.

Waste Water means sewer.

Waste Water Improvement means any improvement made to existing waste water infrastructure.

Waste Water Infrastructure means any plant, storage facility, pump station, line, meter or related materials and equipment for the collection and treatment of waste water.

Waste Water Line means a pipe, which transmits waste water from consumers to waste water treatment facilities.

Waste Water Main means any waste water line serving an area, sized and located so that additional service connections, beyond the limits of any associated development, can be made without lowering the level of service.

Waste Water Tap Fee means a municipal fee for connecting waste water service to a waste water main or waste water line.

Water Improvement means any improvement made to existing water infrastructure.

Water Infrastructure means any plant, storage facility, line, meter or related materials and equipment for the delivery of safe drinking water to consumers.

Water Line means a pipe which transmits water to users and connects to individual water meters.

Water Main means any water line serving an area, sized and located so that additional service connections, beyond the limits of any associated development, can be made without lowering the level of service.

Water Tap Fee means a municipal fee for connecting water service to a water main or water line.

(Code 1995, § 504.03)

Cross references: Definitions generally, § 1-2.

(Code 1995, § 504.07)

Secs. 42-3--42-30. Reserved.

ARTICLE II. EXTENSION OF WATER AND SEWER SERVICE

DIVISION 1. GENERALLY

Sec. 42-31. Legislative Authority.

This division is enacted pursuant to G.S. 153A-121--124 and 153A-284.

(Code 1995, § 504.01)

Secs. 42-32--42-56. Reserved.

DIVISION 2. WATER EXTENSIONS

Sec. 42-57. Purpose and Applicability.

The objective of this division is to set regulations for the extension of water service in unincorporated areas of the county and applies to all county-owned revenue sharing and revolving loan program lines located outside municipal limits. The county will extend water infrastructure according to the terms and conditions in this division.

(Code 1995, § 504.02)

Sec. 42-58. Reserved.

Sec. 42-59. Procedures and Standards.

(a) *Requirements for water connection.* Requirements for water connection shall be as follows:

(1) Any existing property owner with a residential dwelling and any existing nonresidential property owner with a business establishment will not be required to connect to water infrastructures, provided: (i) ~~he~~ the residential dwelling or business establishment is connected to a properly functioning public or semipublic potable well infrastructure; (ii) ~~he~~ the residential dwelling or business establishment is connected to a private well water supply; or (iii) ~~he~~ the residential dwelling or business establishment qualifies for a permit from the county environmental health department to construct an approved replacement well. Those not meeting these conditions will be required to connect to water infrastructure, where available, within 30 days after notice from the county environmental health department. Availability will be determined based on table 1 for residential or table 2 for nonresidential.

(2) Where a residential or nonresidential structure is being replaced or renovated and an existing well is located on the property, the replacement or renovated structure shall be allowed to connect to the existing well provided the well location is approved for use by the Catawba County Environmental Health Department.

(3) (2) All new residential development, including major and minor subdivisions, will connect to water infrastructure where available. All major and minor subdivisions will connect prior to final plat approval; however, pursuant to and as provided by chapter 36 pertaining to subdivisions, a performance guarantee may be posted in lieu of completion of all or part of required improvements prior to final plat approval. Where no such performance bond is posted, all connections must be made before a permit will be issued. All connections will be made at no expense to the county. Availability will be determined based on table 1 as follows.

TABLE 1

TABLE INSET:

Number of Proposed Dwelling Units	Distance from Nearest Property Line as Determined by the County Engineer
1	Abutting the property and/or right-of-way <u>and provided the structure being served is not more than 250 feet from the water line. However, Structures more than 250 feet from the water line may connect.</u>
2--9	250 ft.
10--25	1,000 ft.
26--50	2,000 ft.
51--75	3,000 ft.
76--100	4,000 ft.
101--200	5,280 ft. (1 mile)
201-300	15,840 ft. (3 miles)
301+	Must extend water infrastructure

(4) (3) The owner of any property that has a water source that is, or becomes, contaminated and is served by a water line must connect to the public water line. Contamination is defined in accordance with the North Carolina Department of Environment and Natural Resources laws and regulations and is intended to cover only those contaminants that present a health issue for the human population. Water sources include, but are not limited to, potable well, private well water supply, public well system and semi-public well system. "Served by a water line," means the water line is adjacent to the property and no municipal/county waterline extensions are required to get to the property. Owners who connect to the public water line within 30 days of the identification of the contamination will receive a 50 percent discount on the regular connection fees.

(5) (4) All new nonresidential development, including major and minor subdivisions, will connect to water infrastructure where available. Availability will be determined based on table 2. Daily flow for nonresidential development will be determined based on NCDENR, Laws and Rules for Sewage Treatment, and Disposal Systems, section 15A NCAC 18A.1900. (The requirements of the NCDENR Laws and Rules for Sewage Treatment, and Disposal Systems may be obtained from the county environmental health department). Daily flow for establishments not identified will be determined using

available flow data, water-using fixtures, occupancy or operation patterns, and other measured data. All connections will be made at no expense to the county.

TABLE 2

TABLE INSET:

Average Water Consumption Based on NCDENR Administrative Code Section 15A NCAC 18A.1900 (gallons per day)	Distance from Nearest Property Line as Determined by the County Engineer
130--259	200 ft.
260--1,299	500 ft.
1,300--3,379	2,000 ft.
3,380--6,629	3,000 ft.
6,630--9,999	4,000 ft.
10,000+	Must extend water infrastructure

~~(6) (5)~~ Where feasible, one meter will be required per each customer or water user.
(Code 1995, § 504.04; Ord. No. 2003-12, 6-16-2003)

Secs. 42-60--42-84. Reserved.

DIVISION 3. FIRE HYDRANT INSTALLATION*

***Cross references:** Fire prevention and protection, ch. 18.

Sec. 42-85. Guidelines.

The following guidelines shall apply to the installations of all new fire hydrants required by the fire official and replacement of existing hydrants that are already in service:

- (1) a. Hydrants installed shall be of the dry-barrel type. They shall be listed and approved by a certified testing laboratory and of one of the following brands:
 1. American-Darling Mark 73;
 2. Kennedy K-81; or
 3. Mueller Centurion.
- b. The hydrant shall include two two-inch discharge outlets and one 4 1/2-inch discharge outlet. All threads of the outlets shall be NST (National Standard Thread). The hydrant shall have a uniform-sized pentagonal operating nut measuring 1.5 inches from point to flat at the base with a 1 7/16 inches at the top.
- (2) Hydrants shall be installed at a readily accessible location. Hydrants shall be installed so that the 4 1/2-inch discharge is at least 18 inches above the finished grade. This clearance is necessary to facilitate a hydrant assist-valve when connecting to the hydrant.
- (3) Upon completion of the installation, each hydrant shall be flushed of all sediment or debris that may hinder its operation. The fire department will then be notified of the completion of the installation and that the hydrant is in service and ready for an inspection by the fire official.

(4) All completed hydrant installations shall be inspected by the fire official in order to be sure that the hydrant is in compliance with this section.

(5) All new installations shall be warranted by the installer for a period of one year for material or installation defects.

(6) Hydrants shall be located as close as possible to street intersections or areas of direct vehicular access. Recommended hydrant spacing for developed areas will be 750 feet. At no time will hydrant spacing exceed 750 feet, except in rural undeveloped areas where there is limited development, in which case utility and fire officials will determine appropriate placement. Larger industrial commercial or multifamily developments may require additional hydrants to compensate for long hose lays and/or greater water demand.

(7) Hydrants should be located close to street access to facilitate easy hookup.

(8) Hydrants located in areas designated for parking shall be afforded some type of protection from collision of vehicular traffic.

(9) Hydrants shall be located at least four feet from any solid object, such as a power pole, tree, building, dumpster, and the like, that may hinder access and use of the hydrant.

(Code 1995, § 503.01)

ARTICLE III. EXTENSION OF SEWER SERVICE

DIVISION 1. GENERALLY

Sec. 42-86. Legislative Authority.

This division is enacted pursuant to **G.S. 153A-121--124 and 153A-284.**

Sec. 42-87 – 42-107. Reserved.

DIVISION 2. Sewer Extension

Sec. 42-108. Purpose and Applicability.

The objective of this division is to set regulations for the extension of sewer service in unincorporated areas of the county and applies to all county-owned revenue sharing and revolving loan program lines located outside municipal limits. The county will extend sewer infrastructure according to the terms and conditions in this division.

Sec. 42-109. Reserved.

Sec. 42-110. Procedures and Standards.

(a) Requirements for sewer connection. Requirements for sewer connection shall be as follows:

(1) Any existing property owner with a residential dwelling and any existing nonresidential property owner with a business establishment will not be required to connect to sewer infrastructures, provided: (i) the residential dwelling or business establishment is connected to a properly functioning on-site septic system; or (ii) the residential dwelling or business establishment is connected to a functioning, permitted private sewer treatment facility. Those not meeting these conditions will be required to connect to sewer infrastructure, where available, within 30 days after notice from the county environmental health department. Availability will be determined based on table 1 for residential uses or table 2 for nonresidential uses.

(2) Where a residential or nonresidential structure is being replaced or renovated and an existing septic system is located on the property, the replacement or renovated structure shall be allowed to connect to the existing septic system provided the septic system is approved for use by the Catawba County Environmental Health Department.

(3) All new residential development, including major and minor subdivisions, will connect to sewer infrastructure where available. All major and minor subdivisions will connect prior to final plat approval; however, pursuant to and as provided by chapter 36 pertaining to subdivisions, a performance guarantee may be posted in lieu of completion of all or part of required improvements prior to final plat approval. Where no such performance bond is posted, all connections must be made before a permit will be issued. All connections will be made at no expense to the county. Availability will be determined based on table 3 as follows.

TABLE 3

TABLE INSET:

<u>Number of Proposed Dwelling Units</u>	<u>Distance from Nearest Property Line as Determined by the County Engineer</u>
<u>1</u>	<u>Abutting the property and/or right-of-way</u>
<u>2--9</u>	<u>250 ft.</u>
<u>10--25</u>	<u>1,000 ft.</u>
<u>26--50</u>	<u>2,000 ft.</u>
<u>51--75</u>	<u>3,000 ft.</u>
<u>76--100</u>	<u>4,000 ft.</u>
<u>101--200</u>	<u>5,280 ft. (1 mile)</u>
<u>201-300</u>	<u>15,840 ft. (3 miles)</u>
<u>301+</u>	<u>Must extend sewer infrastructure</u>

(4) All new nonresidential development, including major and minor subdivisions, will connect to sewer infrastructure where available. Availability will be determined based on table 4. Daily flow for nonresidential development will be determined based on NCDENR, Laws and Rules for Sewage Treatment, and Disposal Systems, section 15A NCAC 18A.1900. (The requirements of the NCDENR Laws and Rules for Sewage Treatment, and Disposal Systems may be obtained from the county environmental health department). Daily flow for establishments not identified will be determined using available flow data, water-using fixtures, occupancy or operation patterns, and other measured data. All connections will be made at no expense to the county.

TABLE 4

TABLE INSET:

<u>Average Water Consumption Based on NCDENR Administrative Code Section 15A NCAC 18A.1900 (gallons per day)</u>	<u>Distance from Nearest Property Line as Determined by the County Engineer</u>
<u>130--259</u>	<u>200 ft.</u>

<u>260--1,299</u>	<u>500 ft.</u>
<u>1,300--3,379</u>	<u>2,000 ft.</u>
<u>3,380--6,629</u>	<u>3,000 ft.</u>
<u>6,630--9,999</u>	<u>4,000 ft.</u>
<u>10,000+</u>	<u>Must extend sewer infrastructure</u>

Secs. 42-111--42-135. Reserved.

ARTICLE IV. WATER AND SEWER EXTENSION FUNDING

DIVISION 1. GENERALLY

Sec. 42-136 Purpose and Applicability

The objective of this article is to set regulations for County funding of water and sewer utility service extensions within the corporate boundaries of the county and applies to all county-owned revenue sharing and revolving loan program lines. The county may fund the extension of water and sewer infrastructure according to the terms and conditions in this article. This article will not apply to County owned water and waste water utility systems.

Secs. 42-137 – 42-150. Reserved.

DIVISION 2. REVENUE SHARING PROGRAM

Sec. 42-151. Purpose.

The revenue sharing program is a program to assist local municipalities in extending water and sewer service outside of any incorporated region. The program establishes a partnership between the municipalities and the county, allowing them to offer affordable service to citizens in need.

(Code 1995, § 504.10)

Sec. 42-152. Eligibility requirements.

(a) *Eligible projects.* Projects eligible for the revenue sharing program are limited to the following:

- (1) Projects submitted through a governmental entity.
- (2) Projects within the county.
- (3) Projects outside of an incorporated area.
- (4) Projects associated with water and sewer line extensions for the purpose of offering utility service which could include but not be limited to storage or treatment facilities, but only if such storage or treatment facilities are identified as necessary to accommodate water and/or sewer needed in the county.
- (5) Projects constructed to stimulate economic development.
- (6) Projects which address environmental needs such as the health and safety of the general public.
- ~~(7)~~—Projects constructed to accommodate industrial or commercial growth.

Projects submitted must be supported by information sufficient to allow for adequate evaluation of the project.

(b) *Ineligible projects.* Projects ineligible for the revenue sharing program. Include but are not limited to the following:

- (1) Projects outside of the county.
- (2) Projects within an incorporated area.
- (3) Projects to be annexed into an incorporated area within two years.

(c) *Eligible project cost.* Project cost eligible for the revenue sharing program are limited to the following:

- (1) The actual cost of the work described in the project application.
- (2) Contingency costs, not to exceed ten percent of the eligible construction estimate; however, upon acceptance of bid, the allowed contingency cost ~~will~~ **may** be reduced to five percent. If the municipality determines upsizing of a line is necessary to accommodate future growth, the cost figures submitted must represent the larger line size.

(d) *Ineligible project cost.* Ineligible project cost for the revenue sharing program includes but is not limited to the following:

- (1) Administrative cost.
- (2) Recurring expenditures associated with operations and maintenance.
- (3) Portions funded through federal, state, and local grants. Such funds will be directly deducted from the project cost.
- (4) In-kind services rendered by either party.

(e) *Limitation of project amounts.* No maximum will be established for the revenue sharing project amounts. Projects will be evaluated and funded according to information supplied and available funds.

(Code 1995, § 504.11)

Sec. 42-153. Application deadlines.

December 1 is the application deadline for projects to be funded by the revenue sharing program during the next fiscal year. Emergency projects or projects involving economic development will be considered outside of the deadline period.

(Code 1995, § 504.12)

Sec. 42-154. General responsibilities of county.

Under this division the county shall:

- (1) Review projects and respond in a timely manner to accommodate the municipalities' budget schedules.
- (2) Fund fully eligible construction costs of the project to include any or all of the following costs:
 - a. Design;
 - b. Legal;
 - c. Permitting; and
 - d. Line placement.

(3) Retain ownership of the lines until such time as the municipality annexes the lines or users of the line.

a. For a voluntary annexation that annexes the line or a user of the line, the county reserves the right to continue the revenue sharing contract, or the county may, at its sole option, require the municipality to reimburse the county for the entire line extending from the municipal boundary existing prior to the voluntary annexation to the outer boundary of the newly annexed area, in accordance with the terms of the specific contract.

b. For an involuntary annexation, in which all of the line and its customers are annexed, the municipality shall reimburse the county for the entire line extending from the municipal boundary prior to the involuntary annexation to the outer boundary of the newly annexed area, in accordance with the terms of the specific contract.

c. If a user is involuntarily annexed, but the line is not, the county reserves the right to continue the revenue sharing contract or the county may, at its sole option, require the municipality to reimburse the county for the entire line extending from the municipal boundary existing prior to the involuntary annexation to the outer boundary of the newly annexed area, in accordance with the terms of the specific contract.

(4) Keep municipalities informed of any actions or plan of action which could affect the municipalities' ability to manufacture or distribute water or to transport ~~and~~ or treat wastewater.

(5) Be responsible for applying for federal and state grants, if available.

(Code 1995, § 504.13)

Sec. 42-155. General responsibilities of municipality.

Under this division the municipality shall:

- (1) Furnish potable water to customers.
- (2) Perform all operation and maintenance items associated with water and/or sewer lines.
- (3) Perform all testing and reporting mandated by federal, state, and local regulations.
- (4) Service the customers through responding to complaints, reading of meters, and billing of services.
- (5) Receive and process all new requests for water and/or sewer service.
- (6) Generate a quarterly report of sales activity along partnership lines to include the number of connections and the amount of usage for those connections.
- (7) Equally divide all revenues, except tap fees, received by each project on a quarterly basis. All revenues to be divided equally include usage charges, customer charges, availability charges, or other similar charges that are included in the customers' monthly billing.
- (8) Pay to the county its share of the revenues received.
- (9) Develop a rate structure consistent for inside/outside customers.
- (10) Implement a percentage rate increase for outside customers equal to rate increases for inside customers.
- (11) Be responsible for applying for federal and state grants, if available.
- (12) Assist the county in a growth plan which mandates controlled and planned growth for the utility system.

(13) Agree not to charge fees associated with the construction of the line or service connections, provided all costs associated with such activities are borne by the county. Capacity fees or other fees associated with projects must be indicated in the project submittal packet. Such fees could affect the project's ability to be competitive with comparable projects with lesser connection fees.

(14) Develop construction specifications compatible with other municipalities to avoid incapability of firefighting equipment during mutual aid situations.

(15) Assist the county in its effort to expand utility service to areas in need, provided it proves feasible.

(16) If annexation occurs, perform its obligations as provided in section 42-154(3), regarding voluntary and involuntary annexation.

(Code 1995, § 504.14)

Sec. 42-156. Contract terms.

All contracts made under this division will be in full force during the agreed term and will remain in full force during any litigation dispute concerning the contract until such time both parties or a court of law decides to the contrary.

(Code 1995, § 504.15)

Secs. 42-157--42-185. Reserved.

DIVISION 3. REVOLVING LOAN PROGRAM

Sec. 42-186. Purpose.

The revolving loan is a program to assist local municipalities in extending water and sewer service outside of any incorporated. The program offers low interest loans to fund extensions of utility services within the county. The rates and terms will be established annually. Copies of rates and terms are available at the office of the county manager.

(Code 1995, § 504.25)

Sec. 42-187. Eligibility requirements.

(a) *Eligible projects.* Projects eligible for a loan utilizing the revolving loan program are limited to the following:

- (1) Projects submitted through a governmental entity.
- (2) Projects within the county.
- (3) Projects outside an incorporated area.
- (4) Projects associated with water and sewer line extensions for the purpose of offering utility service, which could include but not be limited to storage or treatment facilities, but only if such storage or treatment facilities are identified as necessary to accommodate water and/or sewer needed in the county.
- (5) Projects constructed to stimulate economic development.
- (6) Projects which address environmental needs such as the health and safety of the general public.
- (7) Projects constructed to accommodate industrial or commercial growth. Projects submitted must be supported by information sufficient to allow for adequate evaluation of the project.

(b) *Ineligible projects.* Projects ineligible for a loan utilizing this program include but are not limited to the following:

- 1) Projects outside the county.
- 2) Projects within an incorporated area.
- 3) Projects to be annexed into an incorporated area within two years.
- 4) Projects eligible for alternative funding, such as but not limited to state and federal assistance grants.

(c) *Eligible project cost.* Project cost eligible for a loan utilizing this program are limited to the following:

- (1) The actual cost of the work described in the project application; and
- (2) Contingency costs, not to exceed ten percent of the eligible construction estimate; however, upon acceptance of a bid, the allowed contingency cost ~~will~~ may be reduced to five percent. If the municipality determines upsizing of a line is necessary to accommodate future growth, the cost figures submitted must represent the larger line size.

(d) *Ineligible project cost.* Ineligible project costs for a loan utilizing this program include but are not limited to the following:

- (1) Administrative cost.
- (2) Recurring expenditures associated with operations and maintenance.
- (3) Portions funded through federal, state, and local grants.
- (4) In-kind services rendered by the loan recipient.

(Code 1995, § 504.26)

Sec. 42-188. Limitation of loan amounts.

No maximum will be established for revolving loan amounts under this division. Projects will be evaluated and funded according to information supplied and available funds.

(Code 1995, § 504.27)

Sec. 42-189. Application deadlines.

~~January-December~~ 1 is the application deadline for projects to be funded under this division during the next fiscal year. Emergency projects or projects involving economic development will be considered outside the deadline period.

(Code 1995, § 504.28)

Sec. 42-190. General responsibilities of county.

Under this division the county shall:

- (1) Review projects and respond in a timely manner to accommodate the municipalities' budget schedules.
- (2) Fund ~~full~~-eligible construction costs of the project to include any or all of the following costs:
 - a. Design;
 - b. Legal;

- c. Permitting; and
 - d. Line placement.
- (3) Invoice annually the amount due according to the executed contract.
 - (4) Retain ownership of the lines until such time as the municipality annexes the lines or users of the line.
 - a. For a voluntary annexation that annexes the line or a user of the line, the county reserves the right to demand full payment of the loan balance due on the entire line extending from the municipal boundary existing prior to the voluntary annexation to the outer boundary of the newly annexed area.
 - b. For an involuntary annexation, in which all of the line and its customers are annexed, the municipality shall reimburse the county for the entire line extending from the municipal boundary existing prior to the involuntary annexation to the outer boundary of the newly annexed area.
 - c. If a user is involuntarily annexed, but the line is not, the county reserves the right to demand full payment of the loan balance due on the line extending from the municipal boundary existing prior to the involuntary annexation to the outer boundary of the newly annexed area.
 - (5) Keep the municipality informed of any actions or plan of action which could affect the municipalities' ability to manufacture or distribute water or transport ~~and~~ or treat wastewater.
 - (6) Be responsible for applying for federal and state grants, if available.

(Code 1995, § 504.29)

Sec. 42-191. General responsibilities of municipality.

Under this division the municipality shall:

- (1) Furnish potable water to customers.
- (2) Perform all operation and maintenance items associated with water and/or sewer lines.
- (3) Perform all testing and reporting mandated by federal, state, and local regulations.
- (4) Service the customers through responding to complaints, reading of meters, and billing of services.
- (5) Receive and process all new requests for water and/or sewer service.
- (6) Develop a consistent rate structure for inside/outside customers.
- (7) Implement percentage rate increases for outside customers equal to rate increases for inside customers.
- (8) Be responsible for applying for federal and state grants, if available.
- (9) Assist the county in the growth plan which mandates controlled and planned growth for the utility system.
- (10) Develop construction specifications compatible with other municipalities to avoid incapability of firefighting equipment during mutual aid situations.
- (11) Repay the loan according to the executed contract specific to the project.
- (12) Assist the county in its effort to expand utility service to areas in need, provided it proves feasible.
- (13) For annexation, perform its obligations as provided in section 42-~~190~~(4), regarding voluntary and involuntary annexation.

(Code 1995, § 504.30)

Sec. 42-192. Contract terms.

All contracts made under this division will be in full force during the agreed term and will remain in full force during any litigation dispute concerning the contract until such time both parties or a court of law decides contrary.

(Code 1995, § 504.31)

Secs. 42-193--42-219. Reserved.

ARTICLE V. County Owned Water and Waste Water Utilities

DIVISION 1. GENERALLY

Sec. 42-220. Purpose

The objective of this article is to set regulations for County owned water and sewer utility systems.

Secs. 42-221—42-235. Reserved

DIVISION 2. Procedures and Standards

Sec. 42-236. Metering

- a. Residential Metering: All residential units connecting to a County owned utility will be individually metered.
- b. Non-Residential Metering: All non-residential uses connecting to a County owned utility will be individually metered.

Sec. 42-237. Required Connections

- a. Where feasible, residential connections to County owned sewer utilities will be required to connect to municipal water infrastructure except as set out in Section 42-59 of this Chapter. Residential connections to County owned sewer utilities that are not connected to a municipal water system will be billed for sewer services at a rate of 6,000 gallons per month.
- b. All non-residential connections to County owned sewer utilities will be required to connect to municipal water infrastructure except as set out in Section 42-59 of this Chapter.

Adopted this the 15th day of June, 2006.

2. Jack Chandler, Public Services Administrator, presented a request to award by resolution the bid to construct the Gregory Wood Products Pump Station and Sewer Project to Ronny Turner Construction Co. Inc. in the amount of \$1,149,333.09 to include the base bid and all bid alternates.

In December 2003, the Board of Commissioners approved a Joint Economic Development Agreement between Gregory Wood Products and Catawba County. Gregory Wood Products has built a dimensional lumber facility on land adjacent to the Catawba County Landfill. The facility is expected to bring up to 115 jobs to Catawba County. As part of the Economic Development Agreement between the County and Gregory Wood Products the County agreed to provide municipal water, sewer and an access road to the Gregory Wood Products property. The County has provided the access road and the municipal water.

The initial bid opening for the municipal sewer was scheduled for May 25, 2006 at which only one bid was received. According to North Carolina General Statutes, where less than three bids are received, bids cannot be opened. The project was re-advertised and a second bid opening was scheduled.

On June 8, 2006, the County held a second bid opening and received bids for the installation of approximately 16,670 linear feet of 6-inch sewer force main, and a submersible waste water pump station, and all related appurtenances. The project contains two bid alternates. Bid alternate 1 includes deleting approximately 3,185 linear feet of 6-inch force main, and adding approximately 4,110 linear feet of 8-inch gravity sewer and appurtenances. Bid alternate 2 includes providing Flygt pumps at the submersible wastewater pump station. A total of two bids were received ranging from \$1,149,333.09 to \$1,220,434.36. Ronny Turner Construction Co., Inc., Hickory, NC, is the lowest responsive bidder with a total bid amount of \$1,149,333.09.

The City of Newton requested that a portion of the project be converted from force main sewer to gravity sewer along highway 10 in order to accommodate industrial development. The City has agreed to pay the cost difference between the force main and gravity sewers along that portion of the project. The cost difference is \$207,192.

PROJECT FUNDING:

In December 2004, the County received approval from the United States Department of Commerce, Economic Development Administration (EDA) and the North Carolina Department of Commerce, Community Development Block Grant (CDBG) for grant funding assistance in the amount of \$348,600 and \$344,155 respectively. Additional funds for the project are included in the FY 05/06 Solid Waste budget and funding from the City of Newton. The funding amounts and sources are as follows:

US Dept. of Commerce - EDA	\$ 348,600
NC Dept. of Commerce - CDBG	\$ 344,155
Catawba County Solid Waste	\$ 336,552
City of Newton	\$ 207,192
Total	\$1,236,499

Grant funding for this project required minority outreach by the contractor. Ronny Turner Construction did not meet our 5% outreach goal, but staff is satisfied with their outreach efforts. Ronny Turner Construction will perform most of the work with their own forces.

Commissioner Barger made a motion to adopt the resolution awarding the bid to construct the Gregory Wood Products Pump Station and Sewer Project to Ronny Turner Construction Co. Inc. The motion carried unanimously. The resolution read as follows:

CATAWBA COUNTY
RESOLUTION OF AWARD
For
GREGORY WOOD PRODUCTS PUMP STATION AND SEWER PROJECT

RESOLUTION NO. 2006-

WHEREAS, the Economic Development Administration of the Department of Commerce in conjunction with the Community Development Block Grant program has made grant funds available for a sewer infrastructure project in Catawba County;

WHEREAS, Catawba County and its co-applicant, the City of Newton, propose to extend sewer service to Gregory Woods and points beyond in order to encourage economic development and the resulting job creation.

WHEREAS, this project was advertised for bidding in May of 2006 and bids were to be opened on May 25th at the Catawba County offices if three bids were received.

WHEREAS, this project was re-advertised and bids were opened on June 8, 2006. Bids were received from Buckeye Construction and Ronny Turner Construction.

WHEREAS, Buckeye Construction Company's bid was \$1,220,434.36 and Ronny Turner Construction Company's bid was \$1,149,333.09;

NOW, THEREFORE BE IT RESOLVED, BY THE COUNTY COMMISSIONERS OF CATAWBA COUNTY:

That the Catawba County Board of Commissioners approve the awarding of a bid to Ronny Turner Construction Co., Inc. as low bidder and will cooperate with all administration paperwork requirements that result from grant funding of this sewer project.

Adopted this the 15th day of June, 2006 at Catawba County, Newton, North Carolina.

10. Public Hearings:

a. Jacky Eubanks, Planning Director, presented a rezoning request on behalf of Melvin Little to rezone a 7.57 acre tract of land from R-2 Residential district to C-2 Commercial district.

The property is located at 4764 Commons Drive in the Sherrills Ford Small Area Planning District, Mountain Creek Township. It is further identified as Parcel ID number 3686-12-85-9400. The tract adjoins the West Lake Commons commercial subdivision off Hwy 150.

The property is undeveloped.

- North – Property to the north is zoned R-2 Residential. The R-2 Residential district allows singlewide manufactured homes, doublewide manufactured homes, modular homes, stick-built single-family housing and two-family dwellings as permitted uses. Hwy 150 has been developing with nonresidential uses in this area. Howard's Furniture Store is across Hwy 150 and is zoned R-2 Residential.
- East – To the east is a mixture of residential, commercial and office zoned properties. Some parcels are developed with housing. As you go farther east about .5 miles you approach the Grassy Creek intersection, where there is an area of C-1 and C-2 Commercial zoning.
- South – The area is mostly vacant and zoned R-2 Residential.
- West – Properties to the west along Hwy 150 represents an extensive commercial corridor. The intersection of Hwy 16 and Hwy 150 is .8 miles to the west, zoned C-2 Commercial and developed commercially.

The C-2 commercial district is intended to provide land for the provision of convenience shops and specialty retail goods and business and personal services to the traveling public and the residents of neighborhoods. The C-2 district shall be located with direct access to arterial and collector streets.

Public water is available along Hwy 150 and into the West Lake Commons Business Park. Connection requirements would be through the Utilities and Engineering Department.

NC Highway 150 is designated as a minor arterial road on the Catawba County Thoroughfare Plan. This system, in conjunction with the principal arterial roads, forms a network that links cities, larger towns, and other major traffic generators. According to the Thoroughfare Plan, NC Highway 150 has a road carrying capacity of 9,900 Average Daily Trips (ADT). The 2001 traffic counts near the site were 9,400 ADT. The Thoroughfare Plan recommends Hwy 150 to be widened to a four-lane road from NC 27 in Lincolnton to I-77 just west of Mooresville; however, this project is only funded in the State Transportation Improvement Plan (STIP) plan for planning and environmental study, not for construction.

NCDOT will not finalize a commercial driveway permit prior to County review.

The Board of Commissioners adopted the Sherrills Ford Small Area Plan on February 17, 2003 serving as the current land use plan for this area. The plan identifies this area as Regional Commercial/Mixed Use. The uses contained would be a mixture of commercial, office-institutional and multi-family to serve the needs of a population service district of 40,000-150,000 people within a 20-30 minute drive.

Chair Barnes noted that the public hearing had been duly advertised and opened the floor for comments for or against the rezoning. Hearing and seeing no one, Chair Barnes closed the public hearing. Vice-Chair Hunsucker made a motion to approve the rezoning request. The motion carried unanimously. The following is the ordinance amending the Catawba County Zoning Map.

Ordinance No. 2006-

AMENDMENT TO THE CATAWBA COUNTY ZONING MAP

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, that the Catawba County Official Zoning Atlas is hereby amended by rezoning the following described property from the R-2 Residential district to the C-2 Commercial district.

The 7.57 acre tract located at 4764 Commons Drive in the Sherrills Ford Small Area Planning District, Mountain Creek Township. It is further identified as Parcel ID number 3686-12-85-9400.

This the 15th day of June 2006.

Chair Barnes said the Board would now move on to other items on the agenda and come back to the budget hearing at 5:30 p.m.

11. Other Items of Business:

a. Assistant County Manager Lee Worsley came forward with a request for a special Board of Commissioners meeting. He said that Randy Moose, Tax Administrator, sent his regrets about not being able to attend this meeting and present this request due to minor surgery. The Tax Administrator was requesting a special meeting be held on July 10, 2006 to hear a presentation by Tax Department staff regarding the 2007 countywide property revaluation. The meeting would immediately follow the subcommittee scheduled for that morning. The revaluation is to become effective January 1, 2007 and this meeting would bring attendees up-to-date on the status of the revaluation project.

After some discussion, it was determined that there were scheduling conflicts and County Manager Lundy proposed scheduling this special meeting prior to the mid-July Board of Commissioners meeting. It was agreed upon that the meeting would be scheduled for 6:00 p.m. on July 17, 2006 in the Robert E. Hibbitts Meeting Room of the 1924 Courthouse. Mr. Worsley said they expected the presentation to take approximately 40 minutes and 20 minutes for questions. Vice-Chair Dan Hunsucker made a motion to schedule this meeting. The motion carried unanimously.

b. Section II F of the 2005-2006 Budget Ordinance states: "Reinventing Departments may create or abolish positions which impact the outcomes approved by the Board of Commissioners and within available revenues upon summary approval of the Board of Commissioners. Approval will come at the next regularly scheduled Board of Commissioners' meeting and will be attached and approved as part of the minutes."

Under this provision of the Budget Ordinance, the following personnel change has been made to Social Services' budget:

Social Worker III

The position will serve the Children's Advocacy Center as a Victim Advocate. It will provide comprehensive social work services to reduce systemic trauma for child victims of sexual and/or severe physical abuse and their non-offending caretaker/family members by providing a variety of intensive advocacy services and interventions. There is no county cost as the Center will provide the revenue.

12. Attorneys' Report.

Chair Barnes invited County Attorney Robert Eades to join all the Commissioners at the podium to recognize the event of his final Board of Commissioners meeting as County Attorney and to receive a

Distinguished Public Service Award. Mr. Eades is scheduled to retire as County Attorney effective June 30, 2006. The award recognized his 11 years of service to the County which began on December 5, 1994. Chair Barnes said she hoped the award encapsulated all Mr. Eades had done for the Board, for the commissioners as individuals and all he had done for the entire county. Mr. Eades was also presented with a brass paperweight inscribed with his dates of service, a piece of local pottery with the County Seal and his name plate from the dais where he sat for the last eleven years. Chair Barnes announced that a tree would be planted on the Courthouse Square in his honor. Mr. Eades thanked the Board and said he enjoyed his tenure and appreciated the opportunity to work with the Board and he said when he thought about 1994 and compared it with today he thought the biggest difference was that we live in a much more complicated county than we did then and his hat was off to all of them who dealt with that complication.

Chair Barnes then presented the need to appoint an interim county attorney and she recommended Attorney Debra Bechtel to serve as interim county attorney. Vice-Chair Hunsucker made a motion to make that appointment. The motion carried unanimously.

13. Manager's Report. None.

Chair Barnes then recessed the meeting at 5:05 for 25 minutes and said the meeting would reconvene at 5:30 p.m. to have the public hearing on the budget.

Chair Barnes reconvened the meeting at 5:30 p.m. She stated the Board was convened for the purpose of the public hearing regarding the budget proposal. The County Manager had presented his recommendations and over the past two days the Board heard requests and comments from the County departments as well as outside agencies that receive funding from the General Fund. Chair Barnes noted the public hearing had been duly advertised and she opened the floor for anyone wishing to speak on any item on the budget. Hearing and seeing no one, Chair Barnes closed the public hearing and asked Mr. Lundy to walk the Board through the requests for changes in the budget.

Mr. Lundy started off with a brief power point presentation regarding some of the technology and media issues that Maiden High had. He stated there had been some confusion when the Board was discussing this issue that morning and he wanted to recap the facts. In May of 2004 the bids for Maiden High School were received (which predated Superintendent Markley's role as Catawba County Schools Superintendent so he has inherited what the school board and staff did at that time). The initial request for furniture, equipment, technology, media and telephone systems was \$1.275 million. After meeting with the Superintendent and the Board members, the schools came back and revised that number and requested \$947,096 for those items. The County agreed to fund that amount over a two year period of time while the school was under construction. This year's budget and in next year's budget, in equal amounts, is that \$947,096 – so with this second allocation, the County has fulfilled the commitment that it made two years ago. The additional funding request that Superintendent Markley went through with the Board in the current budget hearings are additional dollars for Maiden High, Maiden Middle and Tuttle Elementary and the new Catawba Elementary for technology and media and total \$1.6 million. In the budget that was recommended to the Board, \$850,000 was recommended toward those four projects. Mr. Lundy was now suggesting adding an additional \$150,000 to that \$850,000, splitting the money and earmarking \$630,000 for the three schools that are in process right now and \$370,000 for Catawba Elementary. What this will mean is that the County met its original commitment and has now put an additional \$1 million into Maiden High, Maiden Middle, Tuttle Elementary and Catawba Elementary. Mr. Lundy noted that he had indicated to Dr. Markley that this was not the way they wanted to do this in the future and it was agreed that in the future any school project must include not just the furnishings but the technology needs so that when they are talking about the project budget that it is all known up front and finance decisions are made based on those numbers. Chair Barnes clarified that this request was for \$150,000 in addition to the \$850,000 that was in the budget proposal before the Board.

Mr. Lundy then went on to recap what he had heard in individual conversations with the Board members and their responses to the requests they had heard. First was the additional \$150,000 for County Schools as clarified above and there were two requests for additional school current expense and the recommendation was that \$5 per pupil be added which would be a total of \$123,880. For the Sheriff's Department, the Sheriff had indicated the receipt of a JAG Grant in the amount of \$10,945 so this would be an addition to revenue and expense. Commissioner Barger had noted that in the officer contract with

CVCC that the revenue and expenditures were off by \$529 so that amount would be reduced. The Board had discussed three items dealing with economic development – one was a late request from Future Forward for continued dues in the amount of \$7,839; there was a request from the Convention and Visitors Bureau and Mr. Lundy recommended the Board increase that allocation by \$12,500 and there was a suggestion that the County begin to set aside some money for future economic development so the recommendation was \$70,000. This would be available for the Board for any item that would come up. At Commissioner Lail's urging three years ago, the Board set aside some funds for economic development and it was a wise move because the money was used to help support the golf tournament and help with the expansion of the Convention and Visitor Bureau. These were the recommended financial changes and it would result in an increase in County funds of \$363,690. In addition, there was one change to an outcome in Social Services which Bobby Boyd had presented as a result of the way the State recalculated eligibility.

Chair Barnes stated that this was a year with small growth in the property tax base – right at 1% - so it required the County to do a lot with not much of an increase. She said the Board understands the issues for all three school systems with the increases in teachers salaries that the State has proposed and that carries over to the locally paid teachers and that is a critical demand. Vice-Chair Hunsucker said he thought the \$12,500 added to the Convention and Visitor Bureau should be explained. He said this was not an arbitrary number and the Board decided they would ask the Bureau to show the County what they got for their money. Commissioner Barger noted this was to bring growth into the County. Chair Barnes said that anything the County did in the areas of education and economic development were wise investments in the community.

Chair Barnes clarified that these recommended additions to the proposed budget would change the fund balance. Mr. Lundy replied, that with the exception of the JAG grant, these additions would all be out of local funds so the impact would be a reduction in fund balance. Vice-Chair Hunsucker said that while people may tire of hearing about the cost of Medicaid to the County, that is \$7.5 million that could be spent here in the County if the State would relieve the County of that burden. Chair Barnes said there were efforts to cap that cost at last year's rate and if they were to allow that, Catawba County would see an additional \$733,000 for use in the County.

Commissioner Barger made a motion to amend the proposed budget to include the additions outlined by County Manager Lundy. The motion carried unanimously.

County Manager Lundy then recommended the Board adopt the budget ordinance for 2006/07 in the amount of \$199,362,302. Vice-Chair Hunsucker made a motion to adopt the budget ordinance. The motion carried unanimously. The Budget Ordinance reads as follows:

BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Catawba County:

SECTION I

Budget Adoption, 2006/07

The following budget with anticipated fund revenues of \$199,362,302 and departmental expenditures of \$199,362,302 (see pages 14 through 19 of the budget document for breakdown) is hereby adopted in accordance with G.S. 159 by the County of Catawba for the fiscal year beginning July 1st, 2006, and ending June 30th, 2007, and the same is adopted by fund and department.

The following procedures, controls, and authorities shall apply to transfers and adjustments within the budget except for the budgets of the Reinventing Departments as shown in Section II.

A. **Transfers Between Funds:** Transfers of appropriations between funds may be made only by the Board of Commissioners with the exception of merit, reclassification funds, and contingency which the County Manager has the authority to transfer.

B. Transfers Between Departments: Transfers of appropriations between departments in a fund and from contingency shall be approved by the Board of Commissioners or may be approved by the County Manager in conformance with the following guidelines:

1. The County Manager finds that they are consistent with operational needs and any Board approved goals.
2. Inter-department transfers do not exceed \$50,000 in total.
3. Transfers from Contingency appropriations do not exceed \$50,000 each unless the County Manager finds an emergency exists.
4. All transfers between departments and funds are reported to the Board of Commissioners no later than its next regular meeting following the date of the transfer.

C. Transfers Within Departments and Activities: Department Heads may transfer line item appropriations between activities within the departments under their jurisdiction with the approval of the Budget Manager.

D. Transfers Within Activities in a Department: Department Heads are hereby authorized to transfer line item appropriations within activities under their jurisdiction with the approval of the Budget Manager.

E. Transfers of Appropriations from Contingency or Departments for Real Estate Transactions: Transfers of appropriations from Contingency or departments may be made by the County Manager in order to secure options, pay deposits, or pay other necessary expenses related to real estate transactions approved by the Board of Commissioners.

F. Transfers of Capital Projects Appropriations: Transfers of appropriations up to \$50,000 between projects within a capital project fund shall be approved by the County Manager. All manager-approved transfers shall be reported to the Board of Commissioners no later than its next regular meeting.

G. Transfers of Appropriations From Special Departmental Expense and Revenue Contingencies: Transfers of appropriations may be made by the Budget Manager from special departmental expense and revenue contingency accounts that have been set aside to accommodate mid-year adjustments for allocations from outside agencies. The budget for such special departmental contingency expenditures will not be used until revenues are received and the related funds are transferred out of the contingency accounts to an appropriate line item.

SECTION II

Amendment to Procedures, Controls, and Authorities for Reinventing Departments

The following procedures, controls, and authorities shall apply to transfers, personnel, and adjustments within the budget for the Reinventing Departments, as determined by the County Manager:

- A. As part of this process, the County's fund balance has been maintained by taking into account the average amount of unexpended funds turned back at the end of each year and making a one time reduction in each Reinventing Department's allotment by that amount.
- B. The Board of Commissioners will appropriate funds for the Reinventing Departments based on approved outcomes to be achieved during the fiscal year.
- C. Department Heads are hereby authorized to transfer appropriations between activities or from special department contingencies under their jurisdiction. Requests for transfers from the General Fund contingency must be approved by the County Manager. The budget for such special departmental contingency expenditures will not be used until revenues are received and the related funds are transferred out of the contingency accounts to an appropriate line item.

D. Department Heads within the Reinventing Departments are hereby authorized to reallocate existing positions between activities under their jurisdiction.

E. Departments will be allowed to retain all unexpended allocations and/or revenues as defined by the County Manager.

F. Reinventing Departments may create or abolish positions which impact the outcomes approved by the Board of Commissioners and within available revenues upon summary approval of the Board of Commissioners. Approval will come at the next regularly scheduled Board of Commissioners' meeting and will be attached and approved as part of the minutes.

SECTION III

Tax Levy Rate

A tax rate of \$0.490 per \$100 of assessed valuation is hereby levied for Fiscal Year 2006/07, all of which is levied in the General Fund. No discounts will be allowed for early payment of taxes.

The following rates are levied for volunteer fire districts:

<u>Volunteer Fire Department</u>	<u>Tax Rate Per \$100 Valuation</u>
Bandys	\$0.0600
Catawba	\$0.0700
Claremont	\$0.0700
Conover Rural	\$0.0700
Cooksville	\$0.0550
Denver	\$0.0500
Fairbrook	\$0.0325
Longview	\$0.0568
Maiden	\$0.0500
Mountain View	\$0.0525
Newton	\$0.0700
Oxford	\$0.0600
Propst	\$0.0650
Sherrills Ford - Terrell	\$0.0500
St. Stephens	\$0.0500
Viewmont	\$0.0325

SECTION IV

Hospital Fund

The Catawba Valley Medical Center Board of Trustees is hereby required to submit a monthly copy of its financial statements to the County Finance Director that will include a budget to actual comparison of all expenses and revenues.

The Hospital maintains a balance of not less than \$4 million with the County, in the Hospital Capital Reserve Fund, to finance and construct major Hospital capital projects. This Fund is intended to be used primarily to finance and construct major Hospital capital projects. However, in an emergency situation, with written request of the Hospital, the County may, in its discretion, permit amounts on deposit in the Fund to be extended for any lawful purpose including payment of operating expenses of the Hospital. As long as a \$4 million balance in the Fund is maintained, monthly depreciation payments from the Hospital are not required. Monthly payments of \$50,000 will be required any time such \$4 million balance is not maintained.

Catawba Valley Medical Center is public non-profit hospital and an entity or component unit of Catawba County Government. The County owns the assets but the Hospital is not a line department of the County and therefore is not included in the County budget. The Hospital is authorized to operate as an enterprise fund.

SECTION V

Schools' Current Expense

The allocation of general revenues for the schools' current expense is \$1,230 per pupil based on the average daily membership of K-12. This amount includes \$52 per pupil to operate the following inter-school system programs--Catawba County Bus Garage, Catawba Valley High School, Conover School for Exceptional Children, the Newton-Conover ACT Program, and the Community Schools Program.

It is recommended that the three county school systems appropriate from their estimated fund balance an amount not to exceed 5% of the current expense fund for the purpose of establishing a contingency account.

In accordance with the School Budget and Fiscal Control Act, each Board of Education is required to submit to the Board of Commissioners, as soon as adopted, a copy of the School Board's budget resolution. The school finance officer will submit a quarterly statement of the financial condition of the Administrative unit to the Board of Commissioners.

SECTION VI

Capital Projects and Grants

Project Managers will be designated on a project-by-project basis for all County construction projects and the procedures set forth in "Architectural Procedures – Catawba County", adopted by the Board of Commissioners shall be used to coordinate the efforts of all parties involved in a project. Any changes in the estimate, as a result of bids or otherwise, shall be reported by the Project Managers and carry his or her recommendation of approval to the Board of Commissioners prior to the advertising of bids. When compiled and approved by user agencies, all projects must conform to the Catawba County Design and Construction Specifications.

In accordance with the School Budget and Fiscal Control Act each school system will submit to the County Budget Manager detailed project sheets for each capital project included in this budget on sheets as specified in the "Uniform Budget" format, by January 1, 2006.

The General Capital Projects Fund, the Hospital Construction Fund, the Water and Sewer Construction Fund, the School Capital Outlay Fund, the School Bond Capital Projects Fund, and the CDBG Scattered Site Housing Fund are hereby authorized. Appropriations made for the specific projects or grants in these funds are hereby appropriated until the project is completed.

Any grant or capital project budget previously adopted, the balance of any anticipated, but not received, revenues and any unexpended appropriations remaining on June 30th, 2006, shall be reauthorized in the 2006/07 budget unless a specific new budget has been prepared.

SECTION VII

Emergency Approvals, Schools

Emergency transfers to and from the School Capital Outlay Fund shall be in accordance with the School Budget and Fiscal Control Act.

SECTION VII

Annual Financial Reports

All agencies receiving County funding are required to submit an audit report by December 31st, 2006. Approved payments may be delayed pending receipt of this financial information.

SECTION IX

Fees and Licenses

Charges for fees and licenses by Catawba County Departments or Agencies shall be in accordance with the fee policy. Fee changes to be adopted by the Board of Commissioners are set forth in the attached Schedule A.

SECTION X

Per Diem Pay

The Board of Commissioners and members of County boards are authorized to receive per diem pay as follows:

Alcoholic Beverage Control Board – Chair, \$75 per meeting; Members, \$50 per meeting
Board of Adjustment – Chair, \$50 per meeting; Members, \$35 per meeting
Board of Commissioners – Chair, \$900 per month; Members, \$700 per month; In-County Travel Allowance, \$250 per month
Board of Elections – Members, \$50 per meeting; \$65 for Election Day
Hospital Board of Trustees - Chair, \$75 per meeting; Members, \$50 per meeting
Mental Health Board – Chair, \$60 per meeting; Members, \$40 per meeting
Planning Board – Chair, \$50 per meeting; Members, \$35 per meeting
Public Health Board – Chair, \$50 per meeting; Members, \$35 per meeting
Social Services Board – Chair, \$50 per meeting; Members, \$35 per meeting
Subdivision Review Board – Chair, \$50 per meeting; Members, \$35 per meeting

SECTION XI

Personnel

A. Salaries - Salaries for Fiscal Year 2006/07 are based on the Fiscal Year 2006/07 pay plan for Catawba County that is adopted as a part of this budget and is effective July 1st, 2006. The pay plan includes a 1% Cost of Living Adjustment (COLA) on July 1st, 2006. Funds are included for a 1.5% Performance Pay based on an annual performance rating of Meets Expectations, and funds are included for up to 70% of the workforce to receive an additional 2%, based on an annual performance rating of Exceeds Expectations.

B. Merit Payments - Funds are allocated in the budget to provide merit payments. The County Manager is instructed to prepare a plan for the administration of merit payments for exceptional performance to be effective during the Fiscal Year 2006/07 and to communicate said policy to all department directors and administer the plan.

C. Travel Allowance - The travel allowance rate will be according to the IRS reimbursement rate.

D. Special Payment - Positions that require specialized skills may be compensated by a special payment. This payment will only occur while the employee is serving in that capacity. This special payment is not considered a part of the annual base pay for classification. The amount of special payment is to be approved by the County Manager upon a recommendation by the Personnel Director.

SECTION XII

Budget Policy for State and Federal Fund Decreases

It will be the policy of this Board that it will not absorb any reduction in State and Federal funds; that any decrease shall be absorbed in the budget of the agency by reducing personnel or department expenditures to stay within the County appropriation as authorized.

This policy is extended to any agency that is funded by the County and receives State or Federal money. This shall remain in effect until otherwise changed or amended by the Board of Commissioners. The County Manager is hereby directed to indicate this to each of the agencies that may be involved.

SECTION XIII

Reappraisal Fund

In accordance with the provisions of G.S. 153A-150, an appropriation of \$455,121 will be made from the General Fund to the Reappraisal Fund for the purpose of providing funds for the next reappraisal.

SECTION XIV Fiscal Control Act

The Budget Manager and the Finance Director are hereby directed to make any changes in the budget of fiscal practices that are required by the Local Government and Fiscal Control Act. This shall extend to permitted consolidations of funds and "Single Tax Levies" permitted in the Fiscal Control Act.

A. As provided by G.S. 159-25 (b), the Board has authorized dual signatures for each check or draft that is made on County funds. The signatures of the County Manager, Finance Director, Assistant County Manager, and Assistant Finance Director shall be authorized signatures of the County.

B. Operating funds encumbered on the financial records of the County as of June 30th, 2006, are hereby reappropriated to this budget.

C. The Board authorizes the appropriation of all Fund Balances earned by the Reinventing Departments as determined by the County Manager and as a result of the County's annual audit of June 30th, 2006.

D. The Board also authorizes (as is the practice) one principal account as depository for all funds received by the Finance Director from any source. Current accounting techniques shall be used to assure that all funds will be properly accounted for in the financial records of the County.

SECTION XV Authorization to Contract

The County Manager or his designee are hereby authorized to execute agreements, within funds included in the Budget Ordinance or other actions by the Board of Commissioners, for the following purposes: 1) Form grant agreements to public and non-profit organizations; 2) Leases of routine business equipment; 3) Consultant, professional, or maintenance service agreements; 4) Purchase of supplies, materials, or equipment where formal bids are not required by law; 5) Applications for and agreements for acceptance of grant funds from Federal, State, public, and non-profit organization sources, and other funds from other government units, for services to be rendered which have been previously approved by the Board; 6) Construction or repair projects; 7) Liability, health, life, disability, casualty, property, or other insurance or performance bonds other than similar items required by the Sheriff or Register of Deeds; and 8) Other administrative contracts which include agreements adopted in accordance with the directives of the Board of Commissioners.

SECTION XVI Authorization to Award and Reject Bids

Pursuant to General Statute 143-129, the County Manager is hereby authorized to award formal bids received in amounts less than \$250,000 within the following guidelines: 1) bid is awarded to the lowest responsible bidder; 2) sufficient funding is available within the departmental budget; and 3) purchase is consistent with the goals and/or outcomes of the department. The County Manager shall further be authorized to reject any and/or all bids received if it is in the best interest of Catawba County. A report shall be made to the Catawba County Board of Commissioners of all bids awarded or rejected under this section and entered in the minutes of its formal sessions.

SECTION XVII

911 Service Charge

Pursuant to North Carolina General Statute 62A-4 and Catawba County Code of Ordinances Sec. 14-177, a monthly charge in the amount of \$0.85 is hereby imposed upon each exchange access facility subscribed to by all telephone subscribers whose exchange access lines are in the area served or which would be

served by Catawba County Enhanced 911 Service. The said monthly charge shall be uniform and shall be charged to each exchange access facility regardless of the type of said exchange facility used.

Pursuant to North Carolina General Statute 62A-23 and Catawba County Code of Ordinances, a monthly Wireless Enhanced 911 service charge in the amount of \$0.80 is hereby imposed on each Commercial Mobile Radio Service (CMRS) connection. The service charge shall have uniform application and shall be imposed throughout the State.

This ordinance is adopted this 15th day of June 2006.

SCHEDULE A

Below are the fee changes that have been adopted as a part of this budget. All fees are effective July 1st, 2006, unless otherwise noted.

EMERGENCY SERVICES

Fire Permit / Inspection Fees (O = Operational, C = Construction)

Explosives and Blasting	\$150.00
Fire Extinguishing Systems, automatic (includes sprinklers, installation, and modification) (C).....	\$75.00
Flammable or Combustible Liquids	
Install, remove, abandon, and place out-of-service above and underground tanks (O)	\$100.00 per tank
Pyrotechnic special effects material use and handling (fireworks) (O).....	\$150.00
Safety Inspection due to Change of Use, Business, or Owner (over 30 days) or ABC required safety inspection permit for alcohol sales (O)	\$75.00

SHERIFF'S DEPARTMENT

Project Lifesavers Bracelet	\$275.00
Inmate Housing Fee (per day, out of County)	\$45.00

PLANNING, PARKS, AND DEVELOPMENT

Parks

Dog Park Usage Permit	\$20.00 per dog, per year
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Planning and Zoning

Unified Development Ordinance	\$35.00
Design Manual	\$10.00
Non-Residential Site Plan Review/Permit.....	\$200.00
Non-Residential Accessory Structure Site Plan Review/Permit	\$50.00

TAX

Sale of Maps	
Plotter Reprints, bond paper, all sizes	\$15.00

PUBLIC HEALTH

Clinic Services

Tests

Tuberculosis Skin Test.....	Cost of vaccine + \$26.00
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Vaccines


Hepatitis A – Adult	Cost of vaccine + \$26.00
Hepatitis A – Pediatric.....	Cost of vaccine + \$26.00
Hepatitis B – Adult	Cost of vaccine + \$26.00
Influenza.....	Cost of vaccine + \$26.00
Meningococcal (Menactra).....	Cost of vaccine + \$26.00
Meningococcal (Menomune)	Cost of vaccine + \$26.00
MMR.....	Cost of vaccine + \$26.00
Pneumococcal (Pneumovax)	Cost of vaccine + \$26.00

Polio (IPOL)	Cost of vaccine + \$26.00
Rabies, pre/post-exposure (Imovax).....	Cost of vaccine + \$33.00
Rabies, pre/post-exposure (Rabivert).....	Cost of vaccine + \$33.00
Twinrex (Hep A/B).....	Cost of vaccine + \$26.00
Typhoid	Cost of vaccine + \$26.00
Varicella (Varivax)	Cost of vaccine + \$26.00
Yellow Fever	Cost of vaccine + \$33.00

Environmental Health Division

Change of Improvement Permit/Authorization to Construct/Well Permit

Re-trip and re-design fee \$60.00

 po Plan Review..... \$265.00

Water sample

Bacteriological, inorganic chemical, fluoride, lead, Nitrate, Petroleum, Volatile Organic Analysis (VOA),
pesticide \$58.00

TECHNOLOGY

GIS Fees

Map Printing

Plotter Reprints

Bond Paper (all sizes)..... \$15.00

High Gloss (ortho)..... \$20.00

Digital Data Pricing

Countywide

Parcels, Structures, Topology, etc. \$200.00/Layer

Digital Ortho Photos

Seamless Countywide mosaic (Mr. Sid).....\$200.00

Subscription Service \$700.00/Annually
(Parcels, Structures, Topology, Centerlines, Floodplain, Hydrology, City Limits, and Mr. Sid Ortho Updates
received twice per year. Subscription Service runs for 12 months from date of purchase.)

UTILITIES & ENGINEERING

Building Permit Fees

Covering Deck or Porch – Building Permit – CommercialSchedule F

Covering Deck or Porch – Building Permit – Residential \$40.00

Electrical Wiring for Pools and Signs without a Service Meter \$61.00

Replacement/Extension of a Single System – Single Family/Duplex..... \$30.00

Replacement/Extension of a Single System – Commercial \$75.00

Replacement/Extension of two systems – Single Family/Duplex..... \$55.00

Replacement/Extension of two systems – Commercial..... \$145.00

New Installation (each system less than 3) – Single Family/Duplex \$55.00

New Installation (each system less than 3) – Commercial \$100.00

Replacement of existing like fixturesno fee, single family/duplex

Replacement of existing like fixtures \$25.00 commercial

Single New Fixture per Tenant Space \$25.00 single family/duplex

Single New Fixture per Tenant Space \$50.00 commercial

Multiple New Fixtures per Tenant Space..... \$50.00 single family/duplex

Multiple New Fixtures per Tenant Space..... \$125.00 commercial

Single New Bath Group per Tenant Space..... \$75.00 single family/duplex

Single New Bath Group per Tenant Space..... \$150.00 commercial

Multiple New Bath Group per Tenant Space \$125.00 single family/duplex

Multiple New Bath Group per Tenant Space \$275.00 commercial

Stand Alone Express Plan Review 97.50 per hour
or a fraction thereof minimum \$200.00, plus \$150.00 per disturbed acres or any part thereof, acres 2
through 999,999.

Permit Placard \$5.00

Water & Sewer

Waste Water Connections (Capital Fee) - Residential Waste Water Connections Per Unit

Residential \$3,000.00

(single-family, duplex, apartments, town homes, condominiums, etc.)

Commercial, Industrial, Institutional (churches, educational facilities, etc.) and Agricultural Waste Water Connections

Water Connection Size	Minimum Capital Fee per meter up to 360 gallons per day	Additional Capital Fee per gallon over 360 gallons per day
¾" connection/tap	\$3,000	\$1.60
1" connection/tap	\$4,500	\$1.60
1 – ½" connection/tap	\$6,000	\$1.60
2" connection/tap	\$9,000	\$1.60
3" connection/tap	\$13,500	\$1.60
4" connection/tap	\$18,000	\$1.60
6" connection/tap	\$27,000	\$1.60
8" connection/tap	\$45,000	\$1.60
10" connection/tap	TBD	\$1.60
12" connection/tap	TBD	\$1.60

Gallons per day based on NCDENR Rules for Sewage Systems 15A NCAC 18A.1900

14. Adjournment. Commissioner Beatty made a motion to adjourn at 5:47 p.m. The motion carried unanimously.

Katherine W. Barnes, Chair
Board of Commissioners

Barbara E. Morris, County Clerk